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C O N F I D E N T I A L BANDAR SERI BEGAWAN 000622

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TAGS: [PREL](#) [ASEAN](#) [BX](#) [XE](#)

SUBJECT: EPG RECOMMENDS DISCIPLINARY MECHANISMS IN ASEAN  
CHARTER

REF: (A) MANILA 4855 (B) BANDAR SERI BEGAWAN 609

Classified By: Ambassador Emil Skodon, Reasons 1.4 (b) and (d)

[¶1.](#) (C) According to a local ASEAN diplomat, the ASEAN Eminent Persons Group (EPG) which met recently in Brunei (Ref B) included among its recommendations for the ASEAN Charter a proposal for monitoring and disciplining the adherence of ASEAN members to the organization's policy decisions and agreed timelines. The EPG's stated rationale was a desire to ensure development of a "culture of commitment" within ASEAN.

[¶2.](#) (C) The EPG reportedly recommended that the charter establish intra-ASEAN dispute settlement mechanisms for all fields of ASEAN cooperation along with disciplinary measures in the case of a serious breach of important ASEAN objectives, principles, or commitments. One ASEAN diplomatic colleague told us the word "sanctions" was not used but the allusion was clear. The EPG proposed that such sanctions include the suspension of membership and, in extreme cases, expulsion from ASEAN.

[¶3.](#) (C) Comment: The EPG recommendation does not directly address ASEAN's long-cherished principle of non-interference in the internal affairs of its members. If ultimately adopted in the ASEAN Charter, however, it would at least open the possibility of giving some much-needed teeth to ASEAN's collective agreements, including those related to arguably domestic issues such as controlling forest fires in Indonesia that produce regional pollution or rectifying a political situation in Burma that contributes to regional instability. End Comment.  
SKODON